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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,148	08/20/2003	Mikael Lobler	104.801CON	6494

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EXAMINER

LUGO, CARLOS

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/644,148

Applicant(s)

LOBLER, MIKAEL

Examiner

Carlos Lugo

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. 09/943772.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "L0" has been used to designate both as an angle (drawings) and as a lever arm (specification).
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "R" has been used to designate both as a distance (Figure 3) and as a radius (Figures 4 and 19).
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:
 - Elements 1H, C2, C1, 61, 62 and γ are not described in the specification.
4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:
 - Elements D2, 6' and 6" are not illustrated in the drawings.
5. The drawings are objected to because:
 - Figure 13 does not clearly show the invention. A clear version of Figure 13 is requested.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

6. The abstract of the disclosure is objected to because of the following informalities:

- Line 6, delete "(500)".
- Line 7, change "edge 9" as -edge (9)-.
- Line 7, change "edge 14" as -edge (14)-.
- Line 8, change "edges 9,14" as -edges (9,14)-.
- Line 9, change "force F2" as -force (F2)-.
- Line 10, change "force S1" as -force (S1)-.
- Line 12, change "surface 1C" as -surface (1C)-.
- Line 13, change "surface 2C" as -surface (2C)-.

Correction is required. See MPEP § 608.01(b).

Claim Objections

7. **Claims 25-31 are objected** to because of the following informalities:

- Claim 25 Lines 3,12 and 16, delete "(500)" because reference number 500 is not supported by the written description.
- The claims are objected to because they include reference characters, which are not enclosed within parentheses.

Claim 25 Line 19, change "the edges 9,14" as -the edges (9,14)-.

Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

However, applicant is reminded that the use of reference characters is to be considered as having no effect on the scope of the claims.

- Claim 25 Lines 7 and 8, change "through the opening and the opening" as - through the opening of the housing and the opening of the sliding device-.
- Claim 26 Line 2, add -of the housing- after "(6B)".
- Claim 26 Line 3, add of the -sliding device- after "(6C)".
- Claim 29 Line 2, add -another- before "opening (6D)".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 25-31 are rejected** under 35 U.S.C. 103(a) as being unpatentable over US Pat No 5,421,069 to Hamilton in view of US Pat No 3,078,536 to Bauer.

Regarding claims 25 and 31, Hamilton discloses a cord-securing device (20) comprising a housing (30), having an opening (32) that has a substantial length and an upper surface.

A sliding device (22) is in operative engagement with the housing and freely slidable within the housing. The sliding device has an opening (24) defining therein.

A bendable cord or strap (38) extends through the openings of the openings of the sliding device and the housing. The cord has a bent portion being bent about and

engaging an upper force applying edge of the housing (Figure 2). A cord portion (at the top attached to 40) is exposed to a second pulling force pulling the cord portion in a second direction that is opposite to the first direction. The upper force applying edge is disposed on the upper surface and the opening of the housing.

The sliding device has a first securing edge at the opening (24) and the housing has a second securing edge.

The cord urges a lower sliding surface of the housing against an upper sliding surface of the sliding device to secure the cord to the securing device and to prevent the sliding device from separating from the housing.

However, Hamilton fails to disclose that the sliding device is being exposed to a pulling force pulling the slider in a first direction. Hamilton discloses that the housing is exposed to the pulling force in order to bend the strap or cord.

Bauer teaches that is known in the art to have a similar securing device wherein the sliding device (3) is being exposed to a pulling force pulling the slider in a first direction.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a sliding device to be exposed to the pulling force instead of the housing, as taught by Bauer, into a device as described by Hamilton, because it is consider as a reversal of parts that will not affect the securing of the cord within the device.

As to claim 26, Hamilton illustrates that the length of the opening of the housing is substantially greater than the length of the opening of the sliding device.

As to claim 27, Hamilton discloses a centerline of the opening of the housing extends in a transverse direction in relation to a plane that contains a sliding surface of the housing. The plane has a normal that forms an angle with the centerline between 0-80°.

As to claim 28, Hamilton discloses that the sliding device is moveable between a releasing position that release the cord and a securing position that secures the cords.

As to claim 29, Hamilton discloses that the housing includes another opening (34) defined therein.

As to claim 30, Hamilton discloses that the housing has a third securing edge bearing against the cord.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number is 703-305-9747. The examiner can normally be reached on 9-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 703-306-4115. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

Application/Control Number: 10/644,148
Art Unit: 3677

Page 7

Carlos Lugo
Examiner
Art Unit 3677

March 10, 2004.



ROBERT J. SANDY
PRIMARY EXAMINER